

Message Text

UNCLASSIFIED

PAGE 01 STATE 068151
ORIGIN OES-07

INFO OCT-01 ARA-14 EUR-12 EA-12 COME-00 ISO-00 SIG-03
DLOS-09 L-03 IO-14 CEQ-01 EPA-04 INT-05 /085 R

DRAFTED BY OES/OFA/OCA:JKBARNES:LS
APPROVED BY OES/OFA/OCA:MDBUSBY
NOAA/NMFS:PFOX
OES/OFA:BRIAN HALLMAN
NOAA/NMFS:DBEECH

-----032703 172009Z /14

P 162237Z MAR 78
FM SECSTATE WASHDC
TO USINT HAVANA PRIORITY
AMEMBASSY WARSAW PRIORITY
AMEMBASSY TAIPEI PRIORITY
AMEMBASSY SEOUL PRIORITY
AMEMBASSY MADRID PRIORITY
AMEMBASSY BRUSSELS PRIORITY
AMEMBASSY MEXICO PRIORITY
AMEMBASSY OTTAWA PRIORITY

UNCLAS STATE 068151

USEEC

E.O. 11652:N/A

TAGS:EFIS, CU, TW, PL, KS, SP, MX, CA

SUBJECT:INCIDENTAL TAKE OF MARINE MAMMALS BY FOREIGN
FISHERMEN

1. AS OF MARCH 1, 1977, SECTION 101 (A) (2) OF THE MARINE
MAMMAL PROTECTION ACT OF 1972 AND REGULATIONS ISSUED
THEREUNDER PROHIBITED TAKING MARINE MAMMALS INCIDENTALLY
TO COMMERCIAL FISHING OPERATIONS IN THE U.S. FISHERY
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 068151

CONSERVATION ZONE (FCZ) (THE ZONE OUT TO 200 MILES)
EXCEPT WHERE VESSELS HAVE A CERTIFICATE OF INCLUSION ISSUED
UNDER A GENERAL PERMIT AUTHORIZING INCIDENTAL TAKE.

2. IT IS NOT NECESSARY FOR VESSEL TO HAVE A MARINE MAMMAL
PERMIT OR CERTIFICATE OF INCLUSION IN ORDER TO CARRY ON
FISHING OPERATION WITHIN THE U.S. FISHERY CONSERVATION

ZONE. HOWEVER, IF ANY MARINE MAMMALS ARE TAKEN BY VESSEL IN THE COURSE OF ITS OPERATIONS AND A VALID CERTIFICATE OF INCLUSION HAS NOT BEEN ISSUED TO THAT VESSEL, THE VESSEL WILL BE SUBJECT TO PROSECUTION AND IMPOSITION OF APPLICABLE PENALTIES UNDER THE MARINE MAMMAL PROTECTION ACT. TAKING IS DEFINED TO INCLUDE KILLING, HUNTING, CAPTURING, OR HARASSING ANY MARINE MAMMAL, OR ATTEMPTING SAME.

3. THE DEPARTMENT OF COMMERCE ISSUES GENERAL PERMITS

COVERING VESSELS USING SPECIFIED TYPES OF GEAR, WHICH MAY TAKE MARINE MAMMALS INCIDENTALLY TO COMMERCIAL FISHING. NATIONS APPLYING FOR GENERAL PERMITS SHOULD SUBMIT THE INFORMATION OUTLINED BELOW:

A. NAME AND ADDRESS OF ORGANIZATION WHOSE NAME SHOULD APPEAR ON THE GENERAL PERMIT(S)

B. THE CATEGORY OF GENERAL PERMIT WHICH THE APPLICANT WISHES TO RECEIVE:

1. TOWED AND DRAGGED GEAR
 2. ENCIRCLING GEAR, PURSE SEINING INVOLVING INTENTIONAL TAKING OF MARINE MAMMALS
 3. ENCIRCLING GEAR, PURSE SEINING NOT INVOLVING INTENTIONAL TAKING OF MARINE MAMMALS
- UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 068151

4. STATIONARY GEAR
5. OTHER GEAR (INCLUDING TROLLING, GILLNETS, HOOK AND LINE, AND OTHER GEAR)

C. DESCRIPTION OF WHY TAKING OF MARINE MAMMALS CANNOT BE AVOIDED

D. DATE PERMIT IS TO BECOME EFFECTIVE

E. A STATEMENT REGARDING:

1. SPECIES OF FISH TO BE SOUGHT
2. GENERAL AREA OF OPERATION
3. NUMBERS OF MARINE MAMMALS BY SPECIES EXPECTED TO BE TAKEN

F. DESCRIPTION OF PROCEDURES AND TECHNIQUES THAT WILL BE UTILIZED IN ORDER THAT TAKINGS ARE CONSISTENT WITH THE MARINE MAMMAL PROTECTION ACT.

G. IDENTITY OF VESSELS TO RECEIVE CERTIFICATES OF INCLUSION UNDER EACH OF THE GENERAL PERMITS FOR EACH VESSEL,

PLEASE SPECIFY: (1) SPECIES OF FISH TO BE SOUGHT, AND (2)
GENERAL AREA OF OPERATION

4. PLEASE SUBMIT THIS INFORMATION TO MR. TERRY L.
LEITZELL, ASSISTANT ADMINISTRATOR FOR FISHERIES, NATIONAL
MARINE FISHERIES SERVICE, WASHINGTON, D.C., 20235.

5. DEPT OF COMMERCE WILL ISSUE CERTIFICATES OF INCLU-
SION TO EACH VESSEL AT THE SAME TIME THE GENERAL PERMIT
IS ISSUED. FEES THAT WILL BE CHARGED FOR ISSUANCE OF
CERTIFICATES OF INCLUSION ARE OUTLINED IN THE REGULA-

TIONS PUBLISHED IN THE FEDERAL REGISTER, DECEMBER 23,
1977, VOLUME 42, NUMBER 247. COPIES OF THESE REGULATIONS
UNCLASSIFIED

UNCLASSIFIED

PAGE 04 STATE 068151

WILL BE POUCHED SEPARATELY. FEES ARE 10 DOLLARS PER
CERTIFICATE, AND SHOULD BE INCLUDED WITH APPLICATIONS.

6. THIRTY DAYS ARE REQUIRED FOR PUBLIC COMMENT AFTER APP-
LICATIONS ARE RECEIVED AND PUBLISHED IN THE FEDERAL
REGISTER.

7. ACTION REQUESTED: PLEASE TRANSMIT ABOVE INFORMATION
TO APPROPRIATE HOST COUNTRY FISHERY MINISTRY OFFICIALS. VANCE

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SPECIES PROTECTION, CONSERVATION, LICENSES
Control Number: n/a
Copy: SINGLE
Draft Date: 16 mar 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 jan 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE068151
Document Source: CORE
Document Unique ID: 00
Drafter: JKBARNES:LS
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780119-0978
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780358/aaaabxdn.tel
Line Count: 145
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 64d3a1c5-c288-dd11-92da-001cc4696bcc
Office: ORIGIN OES
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 02 mar 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3300685
Secure: OPEN
Status: NATIVE
Subject: INCIDENTAL TAKE OF MARINE MAMMALS BY FOREIGN FISHERMEN
TAGS: EFIS, CU, TW, PL, KS, SP, MX, CA
To: HAVANA WARSAW MULTIPLE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/64d3a1c5-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014